

### **REMARKS**

The Office Action mailed on September 28, 2004, and the Advisory Action Mailed January 19, 2005, have been reviewed and the comments of the Patent and Trademark Office have been considered. Prior to this paper, claims 1-4, 6-13, 15-17, 23-24, and 29 were pending, with claims 9-13, 15, 16, 23-24, and 29 under current consideration on the merits (claims 1-4, 6-8 and 17 are currently withdrawn). By this paper, Applicants do not add any claims and cancel withdrawn claims 1-4, 6-8 and 17 without prejudice or disclaimer. Therefore, claims 9-13, 15-16, 23-24 and 29 are now pending in the present application.

Applicants note that the above amendments to the claims are the same as those presented in the Response of December 28, 2004, except in regard to claim 9. (It is presumed that the amendments presented in the Response of December 28, 2004, have not been entered, due to the indication on the Advisory Action.) The amendments to claim 9 encompass the amendments to that claim as presented in the Response of December 28, 2005, and also encompass the proposed amendments presented to Examiner Culbreth during the interview of January, 2004 (discussed in greater detail below).

Applicants respectfully submit that the present application is in condition for allowance for the reasons that follow.

### **Interview of January, 2005**

Applicants thank Examiner Culbreth for extending the courtesy of a telephone interview to Applicants' representative in January, 2005, where it was agreed that claim amendments according to those shown in Appendix A of this paper (as well as those of the December 28, 2005, Response), along with the cancellation of the withdrawn claims, would place the case into condition for allowance.

In view of the Telephone Interview, Applicants submit that the above summary provides a complete and proper recollection of the substance of the interview, per MPEP §713.04.

Applicants again sincerely thank Examiner Culbreth for extending the courtesy of the in-person interview.

### **Claim Objections**

Applicants thank Examiner Culbreth for indicating that the amendments in the December 28, 2004 Response overcome the objections to the claims.

### **Rejections Under 35 U.S.C. §112, Second Paragraph**

Applicants submit that the above amendments overcome both the rejections of the Office Action as well as those detailed in the Advisory Action, as was agreed in the January telephone interview.

### **Claim Rejections Under 35 U.S.C. §103(a)**

Applicants submit that the claims are allowable in view of the cited references for the reasons detailed in the December 28, 2004 Response, the contents of which are incorporated herein in their entirety.

### **Conclusion**

Applicants believe that the present application is in condition for allowance, and favorable reconsideration is requested.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Examiner Culbreth is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

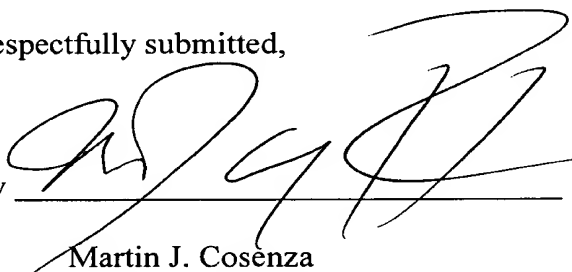
Respectfully submitted,

Date

Jan 28, 2005

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## **APPENDIX A**

9. (Proposed Amended) A vehicular member construction comprising:

a pair of side members extending substantially in a fore-and-aft direction of a vehicle and spaced apart from each other substantially in a widthwise direction of the vehicle; and

a pair of cross members including a first cross member and a second cross member spaced apart from each other in the fore-and-aft direction of the vehicle connecting the pair of the side members;

wherein at least one of the pair of the side members and the pair of the cross members has a hollow cross section comprising:

a thin wall;

a thick wall which is thicker than the thin wall; and

connecting walls between the thin wall and the thick wall;

wherein the thin wall, the thick wall, and the connecting walls are monolithic with each other, **and**

wherein the thin wall, the thick wall and the connecting walls are free from an inscribed mating with each other, **and**

wherein at least one of the pair of side members comprises **a hollow cross section comprising a thin wall and a thick wall which is thicker than the thin wall, and** comprises a suspension link bracket for supporting a suspension link for linking the at least one of the pair of side members and a wheel of the vehicle, the suspension link bracket being mounted on the thick wall of the at least one of the pair of side members in such a manner that the thin wall is free from mounting with the suspension link bracket.